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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,242	05/25/2001	Douglas Weigel	10003469-1	2761

7590 10/08/2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

LE, DAVID Q

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/864,242

Applicant(s)

WEIGEL, DOUGLAS

Examiner

David Q Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Examiner's Note

1. The Examiner has pointed out particular references contained in the prior art of record in the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claims, other passages and figures apply as well. It is requested from the Applicant, in preparing the response, to consider fully the entire references as well as the context of all passages in the cited references as potentially teaching all or part of the claimed inventions.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 7-8, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Tolopka et al, US Patent No. 6,044,349.

As per claim 1.

Tolopka discloses

A method for conducting an electronic transaction (Abstract; Summary of the Invention), said method comprising:

storing a digital signature of a user in a memory of a portable device (Fig 3, associated text; C4, L7-17, C5, L20-26);

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performing said electronic transaction (see above citations); and
transmitting said digital signature of said user from said portable device to complete said electronic transaction (see above citations; C9, L1-14).

As per claim 2.

Topolka discloses all the limitations of claim 1.

Topolka further discloses (see all above citations)

presenting said electronic transaction on an Internet terminal (Fig 3, associated text);
receiving said digital signature by said Internet terminal; and
presenting a verification of conclusion of said electronic transaction.

As per claim 3.

Topolka discloses all the limitations of claim 2.

Topolka further discloses (see all above citations)

digital signature of said user is transmitted utilizing wireless protocols (C9, L1-14).

As per claim 7.

Topolka discloses

A device for transmitting a digital signature, said device comprising (see all above citations; Fig 6, associated text):

a memory;

a keypad configured to provide a user interface;

a wireless transceiver; and

a controller configured to transmit a digital signature stored in said memory through said wireless transceiver in response to a first input from said keypad.

As per claim 8.

Topolka discloses all the limitations of claim 7.

He further discloses

said controller is further configured to receive said digital signature from a second device adapted to generate said digital signature in response to a second input from said keypad (C9, L15-20).

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As per **claim 10**.

Tolopka discloses

An apparatus for generating a digital signature, said apparatus comprising (see all above citations):

an encryptor module (C5, L45-34);

a keypad;

a wireless transceiver, and

a controller configured to transmit a digital signature through said wireless transceiver in response to a first input from said keypad, said digital signature generated by said encryptor module.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 4-6, 9, and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Tolopka** in view of **Atkinson**, US Patent Pub. No. US 2001/0039571 A1.

Tolopka discloses all the limitations of claim 1 and 8.

He does not specifically recite

[claim 4] said Internet terminal comprises a high definition television ("HDTV") set.

[claim 5] said portable device comprises a remote.

[claim 6] said portable device comprises an electronic pen.

[claim 9] said controller is adapted to transmit commands to a high definition television (HDTV)

set.

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[claim 11] said controller is adapted to transmit commands to a high definition television (HDTV) set.

Atkinson discloses a electronic commerce system for users of in public areas where HDTVs are used as Internet transaction terminals, and where users access the services and products displayed by such HDTV monitors (Abstract; Summary of the Invention; Fig 1-2, associated text). In addition, portable remote devices such as TV set remote controls and electronic pens are well known in the art as input devices using wireless transmission for controlling or accessing other devices equipped with compatible interfaces.

Therefore it would have been obvious to one of ordinary skill in the art to have combined the teachings of Tolopka and Atkinson to implement a wireless transaction system as described in claims 4-6, in order to provide convenient, yet secure and accurate means for conducting electronic commerce using a HDTV serving as an Internet terminal. Such an implementation would additionally provide better display of the products and services to be transacted, either in private or in public areas.

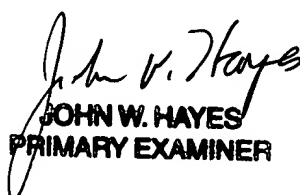
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q Le whose telephone number is 703-305-4567. The examiner can normally be reached on 8:30am-5:30pm Mo-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

DQL


JOHN W. HAYES
PRIMARY EXAMINER